

PATENT 674523-2029

IN THE STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Naylor, et al.

U.S. Appln. No.

10/810,262

U.S. Filing Date

March 26, 2004

Title of Invention

POLYNUCLEOTIDE CONSTRUCTS AND USES THEREOF

Confirm No.

1123

Examiner

Shin Lin Chen

Art Unit

1632

745 Fifth Avenue New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 17, 2008.

Russell A. Garman, Reg. No. 62,419

(Name of Applicant, Assignee or Registered Representative)

Signature

September 17, 2008

Date of Signature

NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Office Action dated March 17, 2008, rejecting claims 1-6, 12-14, 16-18, 47, 48, and 50-57. A check in the amount of \$255.00 is enclosed in payment of the appeal fee for a small entity required by 35 U.S.C. § 41(a)(6) and 37 C.F.R. § 41.20(b)(1). Please charge any additional fee or credit any overpayment to Deposit Account No. 50-0320.

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This notice is being filed in triplicate, together with a petition for an extension of time.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP Attorneys for Applicants

 $\mathbf{B}\mathbf{y}$

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Thomas J. Kowalski Reg. No. 32,147 Anne-Marie C. Yvon Reg. No. 52,390

Russell A. Garman Reg. No. 62,419

Tel: (212) 588-0800 Fax: (212) 588-0800

00583722



PASSIVE UNITED STATES PATENT AND TRADEMARK OFFICE

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